

Remarks/Arguments

Claims 1-16 are pending, and claims 1, 7, and 15 are rejected. Claims 2-6, 8-14, and 16 are indicated allowable. Applicants thank the Examiner for indicating these allowable claims.

Claims 1 and 15 are amended.

Responding to the rejection of claims 1, 7, and 15 as being anticipated by Toda (US 6,377,522), applicants respectfully submit that Toda does not anticipate these claims because Toda does not disclose or suggest the header sequence detector recited in these claims, as discussed below and in the reply to the previous Office Action. Applicants have amended independent claims 1 and 15 to more clearly recite the function of the header sequence detector.

Claims 1 and 7

For example, amended claim 1 recites an apparatus for reading or writing markings of an optical recording medium having data markings arranged along a track and header markings arranged laterally offset with respect to the center of the track, the apparatus comprising a header identification unit, a header sequence detector for detecting a sequence of said laterally offset header markings, a track crossing detector, and an intermediate track detector for generating an intermediate track signal, wherein the intermediate track detector is connected to outputs of the header identification unit, of the track crossing detector and of the header sequence detector. Support for the underlined feature can be found, for example, on page 12, lines 17-33. For example, the specification states that the output signal of the header sequence detector 9 is the sequence detecting signal SDS, indicating

whether the output signal of the summer 34 has a rising or a falling zero crossing relative to the output signal of the subtractor 35. See page 12, lines 17-21. The specification then states that a rising zero crossing indicates, for example, that the header markings 25' are located firstly on the left and then on the right of the track center 26 and a falling zero crossing indicates the opposite sequence. See page 12, lines 21-28. Thus, the header sequence detector is not concerned with the contents of a header.

Applicants submit that element 402 in Toda does not detect a sequence of the laterally offset header markings, as recited in claim 1, and thus should not be interpreted as corresponding to the header sequence detector recited in claim 1.

Toda discloses that element 402 generates a track pull-in enabling signal, which shows track pull-in enabling timing. See col. 5, lines 22-24, col. 15, lines 51-54, and col. 20, lines 1-5 and lines 57-62. Element 402 performs the header removal in its unit 413, controlled by an input header area signal 405 from an external header area detector 410 included in a header area detector circuit 401. See col. 17, lines 56-60, and FIG. 5. Thus, element 402 does not detect a sequence of the laterally offset header markings, as recited in claim 1, and should not be interpreted as corresponding to the header sequence detector recited in claim 1.

The Office Action, however, relies upon element 402 as the header sequence detector because the Office Action states that header H in Toda includes address information (col. 14, lines 25-29) and element 402 must detect the header sequence inside the header H in order to remove the header. See page 2 of the Office Action. Even assuming that the Office

Action is correct, Toda still does not disclose or suggest that element 402 detects "a sequence of said laterally offset header markings," as recited in amended claim 1. As discussed above, the header sequence detector is not concerned with the contents of a header, let alone the header sequence inside that header.

In light of the fact that Toda does not disclose or suggest a header sequence detector "for detecting a sequence of said laterally offset header markings," applicants submit that Toda does not anticipate claim 1 and its dependent claim 7.

Claim 15

Again, in order to more clearly recite the subject matter, applicants have amended claim 15 to recite a method for generating an intermediate track signal in an apparatus for reading or writing data markings of an optical recording medium having data markings arranged along a track and header areas containing one or more header markings arranged with a lateral offset with respect to the centre of the track, and an intermediate track being arranged between two adjacent tracks. The method comprises the steps of checking a signal derived from detector elements of the apparatus for the presence of signal components which indicate the lateral offset of said header markings; if the signal components are present, determining a succession information about the signal components originating from differently arranged header markings within the header areas; generating a signal corresponding to a track crossing frequency; generating the intermediate track signal from the succession information and the signal corresponding to the track crossing frequency.

As discussed above with respect to claim 1, Toda does not disclose or suggest a header sequence detector for detecting the sequence of said laterally offset header markings. Thus, Toda also does not disclose or suggest the step of determining succession information about the signal components originating from differently arranged header markings within the header areas.

Furthermore, Toda does not disclose or suggest the step of checking a signal derived from detector elements of the apparatus for the presence of signal components which indicate the lateral offset of the header markings, as recited in amended claim 15. The land groove detection section shown in FIG. 5 of Toda does not perform this checking step as alleged. The land groove detection section includes a header area detection circuit 401, which includes a header area detector 410. See FIG. 5. The header area detector 410 receives a header detection level signal 505 derived from a track sum signal 114 and generates a header area signal 405. See col. 15, lines 10-26. Nowhere does Toda disclose or suggest that the track sum signal 114 (relied upon as the signal derived from the detector elements) indicates the lateral offset of the header markings, as recited in claim 15.

In light of the fact that Toda does not disclose or suggest the checking step and the determining step, as recited in claim 15, applicants submit that Toda does not anticipate claim 15.

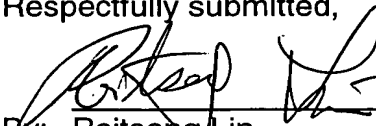
Applicants also amended claim 15 to correct informalities and submit that no new matter is added.

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly, reconsideration and allowance are

respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's attorney at (609) 734-6813, so that a mutually convenient date and time for a telephonic interview may be scheduled.

No fee is believed due. However, if a fee is due, please charge the fee to Deposit Account 07-0832.

Respectfully submitted,


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July 22, 2003

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I hereby certify that this amendment is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to [Mail Stop AF], Commissioner for Patents, Alexandria, Virginia 22313-1450 on:

7-22-03
Date

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